

## R E M A R K S

Careful review and examination of the subject application are noted and appreciated.

### CLAIM REJECTIONS UNDER 35 U.S.C. §112

The rejection of claims 5 and 15 under 35 U.S.C. §112, second paragraph, has been obviated by appropriate amendment and should be withdrawn.

### CLAIM REJECTIONS UNDER 35 U.S.C. §102

The rejection of claims 1, 8-9, 12 and 14-15 under 35 U.S.C. §102(a) as being anticipated by Patel '728 is respectfully traversed and should be withdrawn.

Patel discloses a digital television receiver that digitizes final I-F signals resulting from triple-conversion (Title).

In contrast, the present invention provides an apparatus comprising a first circuit, a second circuit and a third circuit. The first circuit may be configured to generate an upconverted signal in response to an input signal and a first oscillation signal. The second circuit may be configured to generate a downconverted signal in response to the upconverted signal and a second oscillation signal. The third circuit may be configured to generate an output signal in response to the downconverted signal

and a third oscillation signal derived from the second oscillation signal. The upconverting and downconverting may filter undesired channels from the output signal. Patel fails to disclose such a configuration.

In particular, the Office Action asserts that Patel discloses a third oscillation signal derived from a second oscillation signal. However, in FIG. 1 of Patel, the third signal cannot be derived from the second oscillation signal. In particular, Patel discloses a second local oscillator 16 producing a second oscillation signal and a third local oscillator 20 producing a third oscillation signal. Clearly, the third oscillation signal of Patel is not derived from the second local oscillator 16 or from the second oscillation signal. The third local oscillator 20 in Patel does not receive an input from the second local oscillator 16. Moreover, the third oscillation signal of Patel produced by the third local oscillator 20 is independently generated from the second oscillation signal and the second local oscillator 16. The third local oscillator 20 and the third oscillation signal in Patel stand together and are not derived from either the second local oscillator 16 or the second oscillation signal. Patel is silent on a third oscillation signal derived from a second oscillation signal, as presently claimed. As such, Patel fails to disclose or suggest the presently claimed invention and the rejection should be withdrawn.

Furthermore, it is unclear how the third oscillation signal of Patel is derived from the second oscillation signal as asserted in the Office Action (see col. 18, lines 40-44 of Patel). In particular, Patel discloses a "fixed-frequency third local oscillator" (see col. 18, lines 40-41). Patel discloses keeping the third local oscillator at a fixed frequency to control the frequency and phase of the second oscillation signal to align a second intermediate frequency with a second SAW filter.

At best, the second oscillation signal of Patel has a relationship that responds to the third oscillation signal of Patel. However, it is unclear whether this relationship can be considered similar to claimed "derived from" language. That aside, the signals in Patel are backwards from the claimed third oscillation signal derived from the claimed second oscillation signal. In Patel, the second oscillation signal has a slight correlation (through all of the circuitry 22, 24, 27, 28, 30, 31, 32, 34, 55, 56, 57 and 58 of FIG. 1) with the third oscillation signal. However, the second and third oscillation signals in Patel cannot simply be reversed, as peripherally suggested in the Office Action, since the circuit 21 (supposedly the claimed third circuit) of Patel generates the output signal. The circuit 19 of Patel (supposedly the claimed second circuit) does not generate an output signal, as presently claimed. Clearly, Patel fails to disclose or suggest a third oscillation signal derived from a second

oscillation signal, as presently claimed. Furthermore, the third circuit in Patel does not filter undesired channels from the output signal, as presently claimed. No arguments have been presented to this claim element. Therefore, Patel does not disclose each and every element as arranged in the pending claims.

As such, the presently claimed invention is fully patentable over the cited reference and the rejection should be withdrawn.

**CLAIM REJECTIONS UNDER 35 U.S.C. §103**

The rejection of claims 2, 3, 16 and 17 under 35 U.S.C. §103 as being unpatentable over Patel '728 in view of Narumi '811 is respectfully traversed and should be withdrawn. Claims 2, 3, 16 and 17 depend, directly or indirectly, from the claims 1, 14 and 15 which are now believed to be allowable.

As such, the presently claimed invention is fully patentable over the cited references and the rejection should be withdrawn.

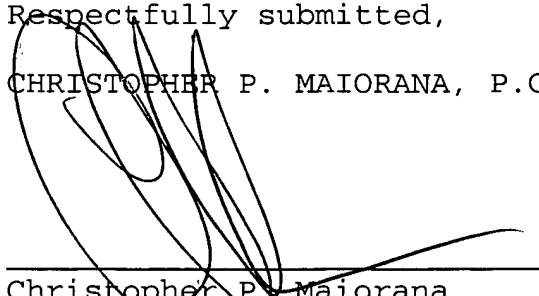
Accordingly, the present application is in condition for allowance. Early and favorable action by the Examiner is respectfully solicited.

The Examiner is respectfully invited to call the Applicants' representative at 586-498-0670 should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge Deposit  
Account No. 12-2252.

Respectfully submitted,

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Dated: February 24, 2005

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Docket No.: 01-091 / 1496.00113